

From: Jon Krueger
To: Microsoft ATR
Date: 1/24/02 12:44pm
Subject: Microsoft Settlement

To Whom It May Concern:

I would like to express my analysis of the proposed settlement with Microsoft. I believe it is completely unsatisfactory.

1. It falls far short of what would be needed to discourage continued criminal behavior by defendant. It is a "slap on the wrist" that defendant will shrug off just as defendant has done in the past.

2. It fails to remedy the cost and damage defendant's conduct has caused consumers, competitors, and the industry.

3. It fails to establish a competitive market for innovation and value. The proposed remedies are entirely insufficient.

4. It leaves defendant free and indeed with a clear incentive to continue its criminal behavior, to continue to create and exercise monopoly power against the interest of all other parties. It leaves defendant free to extend its monopoly to other markets.

5. It leaves defendant free to continue to keep secret interfaces that lock out aftermarket solutions, cooperative solutions, and compatible solutions, thus depriving customers of substantial value and opportunity.

6. It fails to incorporate remedies designed by knowledgeable sources in the industry.

7. It offers numerous loopholes, weak enforcement, and insufficient remedies. It will do nothing to remedy defendant's conduct.

Thank you,

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